

Judges of the Constitutional Court of Ukraine who decriminalised illicit enrichment

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On February 26, the Constitutional Court of Ukraine ruled article 368-2 of the Criminal Code of Ukraine on illicit enrichment unconstitutional.

The hearing was held in the closed regime. Four judges voted against: Ihor Slidenko, Viktor Kolisnyk, Vasyl Lemak and Serhiy Holovatyi, 14 – in favour.

Among the judges who voted to rule illicit enrichment unconstitutional are judges who legitimized Yanukovich's constitutional reform that led to usurpation of power by him; judges, appointed by Yanukovich; subjects to journalistic investigations etc.

Stanislav Shevchuk – The chairman of the Constitutional Court of Ukraine. Received a mandate on March 13, 2014.

His brother Odd Rulav Volodymyrovych, declarant's family member as reported in the e-declaration, owns 70% of Ukrainian Maritime Transport Company LLC (35406087). According to "Nashi Groshi" journalists, the company is subject of the criminal proceeding on theft from Ukrtranskhimamiak, which has been [investigated](#) by the so-called "Kononenko-Granovskyi Department" of the Prosecutor General's Office since July 2017. In 2017, the brother received dividends in the amount of 1,1 million from this company. The previous brother's name was Denys Shevchuk, who, according to information of the anti-corruption [investigation](#), was related with the attempts to undermine Maydan protest.

Mykhailo Gyultay received a mandate on September 21, 2010. He was on the list of judges whom the Verkhovna Rada [demanded](#) to dismiss due to the abolition of the 2004 constitutional reform which facilitated power usurpation by former president Viktor Yanukovich.

On November 20, 2015, he bought Lexus RX350 costing around \$6,300. In December 2013, he bought four-room apartment with the total area of 175,4 sq. m.

Mykhailo Zaporozhets received a mandate on September 21, 2010. He was also on the list of judges whom the Verkhovna Rada [demanded](#) to dismiss due to the abolition of the 2004 constitutional reform which facilitated power usurpation by former president Viktor Yanukovich. He sued the Verkhovna Rada of Ukraine and demanded cancellation of that decision. His lawsuit was [denied](#), however, there was a separate [opinion](#).

According to blogger Serhiy Ivanov, former wife of the judge Zaporozhets holds the position of Deputy

Minister of LNR now. [According to](#) Ivanov, thanks to her the judge Zaporozhets could become the judge of the Constitutional Court.

Media report that he had [privatized](#) the apartment with the total area of 105 sq. m.

Shaptala Natalya received a mandate on September 21, 2010. She was also on the list of judges whom the Verkhovna Rada [demanded](#) to dismiss due to the abolition of the 2004 constitutional reform which facilitated power usurpation by former president Viktor Yanukovich.

Her son Shaptala Yevhen is the [judge](#) of Kyiv Economic Court of Appeal and a [subject](#) to NABU case. Her common law husband (Yuriy Shaptala) bought the apartment worth 2,6 million UAH (around \$105,000) in 2017. He is also the co-owner of Zakhid Aquatrade LLC (39811826). According to Youcontrol, the company was unprofitable and did not receive any profit during last 2 years.

Oleksandr Tupytskyi received a mandate on May 15, 2013, was appointed by Yanukovich.

He has [worked](#) as the judge of Kuyibyshevskiy District Court of Donetsk for 17 years, during seven years he was the head of this court. Since 2010, Tupytskyi has worked as the judge of Donetsk Economic Court of Appeal, and then the head of the same courts in Lviv and Dnipro. However, during that time he made no decision, decree or order.

His wife Tupytska Olena was the assistant to the Member of Parliament from the Party of Regions in the period from 2012 to 2014, who now closely [cooperates](#) with the Russian occupation forces.

Oleksandr Kasminin received a mandate on September 19, 2013, was appointed by Yanukovich. Is the subject of Schemes' journalistic [investigation](#) regarding non-declaring the unfinished land plot which he owns.

His wife received the land plot from the state (together with another 53 "selected ones" she received apartments in "Lazurnyi" district from Poltava City Council of the 5th convocation. The state received 0 UAH for land plots, the market value of which, [according](#) to experts, is about 20,000 USD per plot.

The family owns the apartment with the total area of 150 sq. m. in Kyiv, which costs more than 5 million UAH (around \$180,000). At first, it was the service apartment but later it was [privatized](#).

Kasminin [expressed](#) a separate opinion regarding the unconstitutionality of draft amendments to the Constitutions on Ukraine's membership in the EU and the NATO (the court ruled it constitutional except Kasminin).

Iryna Zavgorodnya was appointed by the Parliament in 2018 in violation of the competition.

Her husband is reported to have citizenship of the Russian Federation. He either does not work or the judge has not submitted his income in her declarations since 2015. In 2012 they got the house worth more than 1 million UAH (\$125,000). The husband is the owner of BMW X4 worth 997,000 UAH (around \$75,000) since October 2014. The income of husband amounted 941,859 UAH in 2014, but it is unknown whether he had savings at that moment.

Oleksandr Lytvyn received a mandate on May 15, 2013. In 2014, he sold the vehicle for 149,900 UAH (around \$11,000) and bought BMW mini cooper for 370,000 UAH (around \$28,000) while the total income of family amounted to 440,000 UAH (around \$34,000).

His wife does not have income since 2014 (it is possible she didn't have it earlier). But in 2015, she submitted 25,000 USD of cash in the declaration. The judge also submitted 20,000 USD himself. On November 29, 2017, the wife becomes the owner of apartment with the total area of 66,6 sq. m. costing 2 million UAH (around \$80,000). They spent all cash and received the loan in amount of 1,1 million UAH (around \$44,000) from Yamkovyi Dmytro Mykolayovych

Mykola Melnyk was appointed by the Parliament in 2014. In 2012-2014 he was the scientific adviser on legal issues at Razumkov Center.

His wife, Melnyk Ulyana, is the owner of apartment with the total area over 159 sq. m. and costing more than 1 million UAH (around \$200,000) since 2006. Also, the wife submitted in the declaration the use of unfinished construction with the total area of 316 sq. m. (the owner is the National Academy of Sciences of Ukraine). The wife works at KSM-TRANS LLC (35417764). The vehicle, used by the judge since 2013, is registered on the name of the relative Melnyk Oksana.

Oleg Pervomayiskyi was appointed by the Parliament in 2018 in violation of the competition. He owns the apartment with the total area of 108 sq. m.

Sas Serhiy was appointed by the Parliament in 2014. In 2012, he was [elected](#) to the Verkhovna Rada of Ukraine from the Batkivshchyna party. After the appointment, he resigned as the MP. From 2007 to 2012 he was the member of the Group for Inter-Parliamentary Relations with the Russian Federation.